

<b>MEETING:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>15 JUNE 2016</b>
<b>TITLE OF REPORT:</b>	<b>APPEALS</b>

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**CLASSIFICATION:** Open

## **Wards Affected**

Countywide

## **Purpose**

To note the progress in respect of the following appeals.

## **Key Decision**

This is not an executive decision.

## **Recommendation**

**That the report be noted.**

## **APPEALS RECEIVED**

### **Application 153671**

- The appeal was received on 13 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Prior Approval
- The appeal is brought by Mr Kearley
- The site is located at Drovers Barn at Crookshill Farm, Acton Beauchamp, Worcestershire
- The development proposed is Proposal to convert an agricultural building into a dwellinghouse (C3)
- The appeal is to be heard by Written Representations

**Case Officer: Mr Fernando Barber-Martinez on 01432 383674**

### **Application 153625**

- The appeal was received on 13 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr Barry Pimblett
- The site is located at Vine Tree Cottage, Bishopswood, Ross on Wye, Herefordshire, HR9 5RA
- The development proposed is Proposed erection of a timber cabin in association with existing self-catering unit
- The appeal is to be heard by Written Representations

**Case Officer: Mr C Brace on 01432 261947**

**Application 152634**

- The appeal was received on 12 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal is brought by Mr John Bratton
- The site is located at The Old Granary, Upper Cwm Farm, Welsh Newton, Monmouth, Herefordshire, NP25 5RW
- The development proposed is Retention of barn conversion and repair outbuilding to provide garage and store
- The appeal is to be heard by Written Representations

**Case Officer: Mr C Brace on 01432 261947**

**Application 152547**

- The appeal was received on 13 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Planning Conditions
- The appeal is brought by Miss Lucy Gardner
- The site is located at Woods Of Whitchurch, Whitchurch, Ross-On-Wye, Herefordshire, HR9 6DJ
- The development proposed is Proposed change of use of part residential first floor flat to coffee shop and associated WC.
- The appeal is to be heard by Written Representations

**Case Officer: Mr C Brace on 01432 261947**

**Application 150053**

- The appeal was received on 13 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr And Mrs Preece
- The site is located at Land at, and West of West Winds, Cholstrey Road, Leominster, Herefordshire
- The development proposed is Proposed 25 dwellings with garages and car spaces.
- The appeal is to be heard by Written Representations

**Case Officer: Mr A Prior on 01432 261932**

**Application 143843**

- The appeal was received on 20 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Mr M Soble
- The site is located at Land At Whitethorn Farm, Carey, Hereford, HR2 6NG
- The development proposed is (Retrospective) Retention of temporary living accommodation.
- The appeal is to be heard by Hearing

**Case Officer: Mrs Charlotte Atkins on 01432 260536**

**Application 152188**

- The appeal was received on 31 May 2016
- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal is brought by Earthworm Energy PLC Ltd
- The site is located at Land opposite Aylus Cottages, Auberrow, Wellington, Herefordshire
- The development proposed is Proposed erection of a solar photovoltaic array, including metering and inverter kiosks, security cameras, fencing and gates and a temporary construction compound and access track.
- The appeal is to be heard by Written Representations

**Case Officer: Ms R Jenman on 01432 261961**

***APPEALS DETERMINED***

**Application 152174**

- The appeal was received on 16 March 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal was brought by Mr Ted St George
- The site is located at Rosemundy, Widgeon Hill Barns, Hamnish, Leominster, Herefordshire, HR6 0QN
- The development proposed was proposed conservatory.
- The main issue in this case is the effect of the proposal on the character and appearance of the host property and the surrounding area.

**Decision:**

- The application was Refused under Delegated Powers on 23 December 2015
- The appeal was Dismissed on 10 May 2016

**Case Officer: Mr A Prior on 01432 261932**

**Application 143769**

- The appeal was received on 5 February 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Upper House Farm Ltd
- The site is located at Upper House Farm, Moreton-On-Lugg, Hereford, HR4 8AH
- The development proposed was Proposed construction of six poultry houses and feed bins, ancillary
- The main issues are firstly, the effect of the scheme on the living conditions of nearby residents and visitors, having regard to odour emissions and noise, and secondly, the impact of the scheme on the landscape.

**Decision:**

- The application was Refused at Planning Committee on 5 August 2015
- The appeal was Allowed on 12 May 2016
- An Application for the award of Costs, made by the Appellant against the Council, was allowed in part.

**Case Officer: Mr R Close on 01432 261803**

**Application 141368**

- The appeal was received on 28 September 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Bell Homes Ltd
- The site is located at Land at Castle End, Lea, Ross-on-Wye, Herefordshire
- The development proposed was proposed site for 14 new residential properties, vehicle turning and landscaping.
  
- The main issues are: Whether the setting of the listed building known as Castle End would be preserved; whether the proposed development would cause unacceptable risk to highway safety on the main A40 road; whether the proposal would represent a sustainable form of development having regard to local and national policies for the development of housing in rural settlements; and whether appropriate provision is made for contributions to infrastructure

**Decision:**

- The application was Refused at Planning Committee against Officer Recommendation on 21 April 2015
- The appeal was Dismissed on 12 May 2016
- An Application for the award of Costs, made by the Appellant against the Council, was allowed in part.

**Case Officer: Mr K Bishop on 01432 260756**

**Application 142175**

- The appeal was received on 8 October 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Gladman Developments Ltd
- The site is located at Land off Pencombe Lane, Bromyard, Herefordshire
- The development proposed was Site for up to 120 dwellings with associated open space and landscaping.
- The main issues were:  
Having regard to the above, and from the evidence presented to the inquiry, the written representations and visits to the appeal site and surroundings, it follows that the main issues to be decided in this appeal are:-
  - a) whether the Council has a 5-year supply of deliverable housing land;
  - b) the effects on the character and appearance of the area, including the wider landscape and the setting of Bromyard;
  - c) whether satisfactory and safe access can be provided to serve the development; and
  - d) whether, in the planning balance, the proposed development can be considered sustainable the terms expressed in the Framework.

**Decision:**

- The application was Refused at Planning Committee on 4 March 2015
- The appeal was Dismissed on 19 May 2016

**Case Officer: Mr K Bishop on 01432 260756**

**Application 152211**

- The appeal was received on 3 December 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Prior Approval
- The appeal was brought by Mr Morris
- The site is located at Two buildings at Grantsfield Farm, Kimbolton, Leominster, Herefordshire
- The development proposed was Prior approval for a proposed change of use of two farm buildings into two dwellings (Use Class C3)
- The main issue in this case is whether the building operations necessary to convert Building 2 would take the proposed development beyond that which is permitted by Class Q.

**Decision:**

- The application was Refused under Delegated Powers on 18 September 2015
- The appeal is dismissed insofar as it relates to Building 2 and allowed insofar as it relates to Building 1 on 2 June 2016

**Case Officer: Mr A Prior on 01432 261932**

**Application 153344**

- The appeal was received on 4 March 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Mr Charles Cox
- The site is located at Land adjacent to Headlands Farm, Leominster, Herefordshire
- The development proposed was Proposed erection of bungalow.
- The main issues were:
  - i) whether the proposal would lead to a sustainable pattern of development and
  - ii) the significance of the appellant's personal

**Decision:**

- The application was Refused under Delegated Powers on 8 January 2016
- The appeal was Dismissed on 27 May 2016

**Case Officer: Mr M Tansley on 01432 261815**

**Application 151771**

- The appeal was received on 23 October 2015
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Prior Approval
- The appeal was brought by P J & Z S Davenport C/o Agent
- The site is located at Land at Hinton Manor, Eardisland, Herefordshire, HR6 9BG
- The development proposed was Proposed conversion of two grain silos to a single dwelling.
- The main issue was whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

**Decision:**

- The application was Refused under Delegated Powers on 11 August 2015
- The appeal was Dismissed on 1 June 2016

**Case Officer: Mr Mark Tansley on 01432 261815**

**Application 153205**

- The appeal was received on 11 April 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission (Householder)
- The appeal was brought by Mr Paul Croucher
- The site is located at Edwyn Wood, Edwyn Ralph, Bromyard, Herefordshire, HR7 4LX
- The development proposed was Proposed first floor extension and internal alterations.
  - The main issue was: The effect of the proposal on the character and appearance of the area.

**Decision:**

- The application was Refused under Delegated on 23 December 2015
- The appeal was Dismissed on 6 June 2016

**Case Officer: Hazel Nash on 01432 260000**

**Application 152353**

- The appeal was received on 24 March 2016
- The appeal was made under Section 78 of the Town and Country Planning Act 1990 against Refusal of Planning Permission
- The appeal was brought by Miss Amy Marsland
- The site is located at Forge Cottage, Bridstow, Ross-on-Wye, Herefordshire, HR9 6QW
- The development was Proposed erection of blacksmiths forge and stables.

**Decision:**

- The application was Refused under Delegated Powers on 30 September 2015
- The appeal was Withdrawn on 7 June 2016

**Case Officer: Mr C Brace on 01432 261947**

If members wish to see the full text of decision letters copies can be provided.